

0327-0840-3 PCT



#5
2/12/02
[Signature]

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

:

Nobuya SATO, et al.

: EXAMINER: PRATT, C

SERIAL NO: 09/555,371

:

FILED: MAY 30, 2000

: GROUP: 1771

FOR: KITCHEN SHEET

PROVISIONAL ELECTION

RECEIVED
FEB 13 2002
TC 1700

ASSISTANT COMMISSIONER OF PATENTS
WASHINGTON, DC 20231

SIR:

In response to the Restriction Requirement stated in the Official Action dated January 15, 2002, Applicants provisionally elect Group I, Claims 1-8, drawn to a kitchen sheet.

Applicants respectfully traverse the outstanding Restriction Requirement. The outstanding Office Action states that the inventions listed as Groups I, II and III do not relate to a single general inventive concept under PCT Rule 13.1 because, they lack the same or corresponding special technical features. However, MPEP § 803 states the following:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

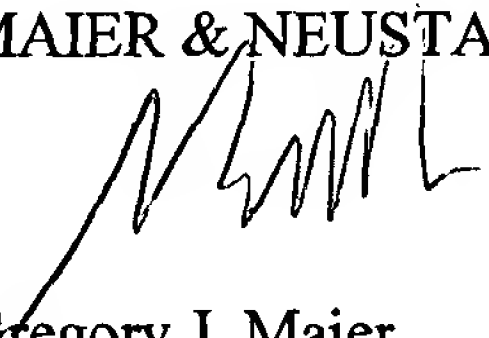
In the present application, Claim 1 is directed to a kitchen sheet, while Claims 9 and 10 to processes for producing a kitchen sheet. Hence, it appears that these claims of the present invention are part of an overlapping search area and that a search for Claims 1-8 would

necessarily include the class and subclass required for a search directed to Claims 9-10 as well. It is therefore believed that there is no undue burden on the Examiner to search all the claims under MPEP § 803, and Applicants respectfully traverse the Restriction Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

Therefore, it is respectfully requested that the requirement to elect a single group be withdrawn, and that a full examination on the merits of Claims 1-10 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Registration No: 25,599
Robert T. Pous
Registration No: 29,099
Attorneys of Record



22850

Tel: (703) 413-3000

Fax: (703) 413-2220

GJM/RTP/AY:si

I:\ATTY\AKY\0S\0327\0840_rest.wpd



Docket No.: 0327-0840-3PCT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231



RE: Application Serial No.: 09/555,371
Applicants: Nobuya SATO, et al.
Filing Date: MAY 30, 2000
For: KITCHEN SHEET
Group Art Unit: 1771
Examiner: PRATT, C

GREGORY J. MAIER
(703) 413-3000
GMAIER@OBLON.COM

ROBERT T. POUS
(703) 413-3000
RPOUS@OBLON.COM

SIR:

Attached hereto for filing are the following papers:

PROVISIONAL ELECTION

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Gregory J. Maier
Attorney of Record
Registration No. 25,599
Robert T. Pous
Registration No. 29,099



22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

I:\USER\SIIZA\0S\0327\0840_restcvr.wpd

RECEIVED
FEB 13 2002
TC 1700